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Approved April 15, 1939.

I hereby certify that the foregoing act was published in the Milo Motor, April 27, 1939,  
and The Malvern Leader, April 27, 1939.

EARL G. MILLER, *Secretary of State.*

CHAPTER 135  
MOTOR VEHICLES

H. F. 601

AN ACT to amend section one (1), one hundred sixty-four (164), and one hundred  
ninety-seven (197), and to amend, revise and codify sections one hundred fifty (150),  
one hundred fifty-one (151), one hundred fifty-two (152), one hundred fifty-three  
(153), one hundred fifty-four (154) and four hundred ninety (490) of chapter 134  
of the acts of the Forty-seventh General Assembly relating to the registration fees  
for motor trucks, truck tractors, road tractors, semitrailers and trailers, providing  
for the registration of such vehicles on a gross weight basis, fixing the maximum  
gross weight with which such vehicles may be operated, providing for the semi-  
annual payment of registration fees, and providing specifications for number plates,  
and to amend chapter 252-A2 of the code, 1935, relating to the taxation of motor  
carriers operating motor vehicles between fixed termini and over a regular route,  
fixing penalties for delinquency in payment of such tax, providing for the issuance  
of distinguishing plates for such motor vehicles, providing for the collection and  
enforcement of such tax and providing for the distribution of the proceeds thereof.

*Be It Enacted by the General Assembly of the State of Iowa:*

DIVISION I

1 SECTION 1. That section one (1) of chapter one hundred thirty-  
2 four (134), Acts of the 47th General Assembly, be amended by strik-  
3 ing subsection twenty-two (22) and inserting in lieu thereof the  
4 following:

5 "22. 'Gross Weight' shall mean the empty weight of a vehicle plus  
6 the maximum load to be carried thereon. The maximum load to be  
7 carried by a passenger carrying vehicle shall be determined by multi-  
8 plying one hundred fifty (150) pounds by the number of passenger  
9 seats carried by such vehicle.

10 "22-a. 'Combined gross weight' shall mean the gross weight of a  
11 motor vehicle plus the gross weight of a trailer or semitrailer to be  
12 drawn thereby."

1 SEC. 2. That section one hundred fifty (150) of chapter one hun-  
2 dred thirty-four (134), Acts of the 47th General Assembly, be repealed  
3 and the following enacted in lieu thereof:

4 "Sec. 150. Trucks with pneumatic tires. For motor trucks equipped  
5 with all pneumatic tires, the annual registration fee shall be:  
6 For a gross weight of 3 tons or less.....\$ 15.00 per annum  
7 For gross weights exceeding 3 and not  
8 exceeding 5 tons..... 25.00 per annum  
9 For gross weights exceeding 5 and not  
10 exceeding 6 tons..... 60.00 per annum  
11 For gross weights exceeding 6 and not

12	exceeding 7 tons.....	80.00 per annum
13	For gross weights exceeding 7 and not	
14	exceeding 8 tons.....	100.00 per annum
15	For gross weights exceeding 8 and not	
16	exceeding 9 tons.....	130.00 per annum
17	For gross weights exceeding 9 and not	
18	exceeding 10 tons.....	160.00 per annum
19	For gross weights exceeding 10 and not	
20	exceeding 11 tons.....	190.00 per annum
21	For gross weights exceeding 11 and not	
22	exceeding 12 tons.....	225.00 per annum

1 SEC. 3. That section one hundred fifty-one (151) of chapter one  
2 hundred thirty-four (134), Acts of the 47th General Assembly, be  
3 repealed and the following enacted in lieu thereof:

4 "Sec. 151. Trucks with solid rubber tires. For motor trucks  
5 equipped with two or more solid rubber tires, the annual registration  
6 fee shall be the fee provided in section one hundred fifty (150) of this  
7 chapter plus twenty-five per cent (25%) thereof."

1 SEC. 4. That section one hundred fifty-two (152) of chapter one  
2 hundred thirty-four (134), Acts of the 47th General Assembly, be  
3 repealed and the following enacted in lieu thereof:

4 "Sec. 152. Trucks exceeding twelve (12) tons gross weight. The  
5 registration fee on all trucks of gross weight in excess of twelve (12)  
6 tons shall be the fee for twelve (12) tons and in addition thereto  
7 twenty dollars for each ton over twelve (12) tons."

1 SEC. 5. That section one hundred fifty-three (153) of chapter one  
2 hundred thirty-four (134), Acts of the 47th General Assembly be  
3 repealed and the following enacted in lieu thereof:

4 "Sec. 153. Truck tractors, road tractors, and semitrailers.

5 (a) For a truck tractor or for a road tractor the annual registration  
6 fee shall be:

7 For each truck tractor or road tractor drawing a trailer having a  
8 combined gross weight of six tons or less, thirty dollars per annum.

9 For each truck tractor or road tractor drawing a trailer having a  
10 combined gross weight exceeding six tons and not exceeding eight  
11 tons, seventy dollars per annum.

12 For each truck tractor or road tractor drawing a trailer having a  
13 combined gross weight exceeding eight tons and not exceeding ten  
14 tons, one hundred thirty dollars per annum.

15 For each truck tractor or road tractor drawing a trailer having a  
16 combined gross weight exceeding ten tons and not exceeding twelve  
17 tons, one hundred ninety-five dollars per annum.

18 The registration fee for a truck tractor or road tractor drawing a  
19 trailer with a combined gross weight of exceeding twelve (12) tons  
20 shall be the fee for twelve (12) tons and in addition thereto twenty  
21 dollars for each ton over twelve (12) tons.

22 Nothing herein shall be construed to require a license for the opera-  
23 tion of a rubber-tired farm tractor not for hire upon the public high-  
24 ways.

25 (b) For semitrailers the annual registration fee shall be:

26 For each semitrailer drawn by a truck, road tractor or truck tractor,

27 with a combined gross weight of twelve tons or less.....\$30.00  
 28 per annum.  
 29 For each seimtrailer drawn by a truck, road tractor or truck tractor,  
 30 with a combined gross weight exceeding twelve tons.....\$60.00  
 31 per annum.”

1 SEC. 6. That section one hundred fifty-four (154) of chapter one  
 2 hundred thirty-four (134), Acts of the 47th General Assembly, be  
 3 repealed and the following enacted in lieu thereof:  
 4 “Sec. 154. Trailers. All trailers except those defined as semi-  
 5 trailers shall be subject to a registration fee to be fixed in accordance  
 6 with the following schedule:  
 7 When equipped with penumatic tires:  
 8 Wagon box trailers used by a farmer in connection  
 9 with the operation of his farm.....\$ 1.00  
 10 Trailers with a gross weight of one thousand (1000)  
 11 pounds or less..... 1.00  
 12 Trailers with a gross weight exceeding one thousand (1000)  
 13 pounds and not exceeding two thousand (2000) pounds..... 3.00  
 14 Trailers with a gross weight exceeding one ton and  
 15 not exceeding two tons..... 10.00  
 16 Trailers with a gross weight exceeding two tons and  
 17 not exceeding four tons..... 25.00  
 18 Trailers with a gross weight exceeding four tons  
 19 and not exceeding six tons..... 30.00  
 20 Trailers with a gross weight exceeding six tons and  
 21 not exceeding eight tons..... 35.00  
 22 Trailers with a gross weight exceeding eight tons  
 23 and not exceeding ten tons..... 40.00  
 24 Trailers with a gross weight exceeding ten tons and  
 25 not exceeding twelve tons..... 50.00  
 26 Trailers with a gross weight exceeding twelve tons  
 27 and not exceeding fourteen tons..... 60.00  
 28 When equipped with two or more solid rubber tires:  
 29 Trailers with a gross weight exceeding one ton and not  
 30 exceeding two tons..... 20.00  
 31 Trailers with a gross weight exceeding two tons and  
 32 not exceeding four tons..... 30.00  
 33 Trailers with a gross weight exceeding four tons and  
 34 not exceeding six tons..... 35.00  
 35 Trailers with a gross weight exceeding six tons and  
 36 not exceeding eight tons..... 50.00  
 37 Trailers with a gross weight exceeding eight tons  
 38 and not exceeding ten tons..... 60.00  
 39 Trailers with a gross weight exceeding ten tons and  
 40 not exceeding twelve tons..... 70.00  
 41 Trailers with a gross weight exceeding twelve tons  
 42 and not exceeding fourteen tons..... 80.00”

1 SEC. 7. That section four hundred ninety (490) of chapter one  
 2 hundred thirty-four (134), Acts of the 47th General Assembly, be  
 3 repealed and the following enacted in lieu thereof:  
 4 “Sec. 490. Loading capacity. An increased gross weight regis-  
 5 tration may be obtained for any vehicle by payment of the difference

6 between the annual fee for the higher gross weight and the amount  
7 of the fee for the gross weight at which it is registered. It shall be  
8 unlawful for any person to operate a motor truck, trailer, truck tractor,  
9 tractor, road tractor, semitrailer or combination thereof, on the public  
10 highways with a gross weight exceeding that for which it is registered  
11 by more than five per cent (5%) of the gross weight for which it is  
12 registered, provided, however, that any vehicle or vehicle combination  
13 referred to herein, while carrying a load of raw farm products, soil  
14 fertilizers, including ground limestone, raw dairy products or live-  
15 stock, live poultry, eggs, may be operated with a gross weight of  
16 twenty-five per cent (25%) in excess of the gross weight for which  
17 it is registered."

1 SEC. 8. That section one hundred sixty-four (164), of chapter one  
2 hundred thirty-four (134), Acts of the 47th General Assembly, be  
3 amended by adding thereto the following:

4 "Provided, however, that the annual registration fee for trucks,  
5 truck tractors, road tractors, trailers and semitrailers, as provided in  
6 sections one hundred fifty (150), one hundred fifty-one (151), one  
7 hundred fifty-two (152), one hundred fifty-three (153), and one hundred  
8 fifty-four (154) of this chapter, may be payable in two equal  
9 semi-annual installments. The penalties provided in the preceding  
10 paragraph shall be computed on the amount of the first installment  
11 only, and on August 1st of each year and on the first day of each  
12 month thereafter the same rate of penalty shall be added to the  
13 amount of the second installment, until the same is paid."

1 SEC. 9. That section one hundred ninety-seven (197), of chapter  
2 one hundred thirty-four (134), Acts of the 47th General Assembly,  
3 be amended by inserting a new paragraph after the word "depart-  
4 ment" in line seven (7) to read as follows:

5 "Number plates for vehicles on which the annual registration fee  
6 is payable in two installments shall prior to the payment of the second  
7 installment be of a distinctively different color than the plates used  
8 for other motor vehicles during the same year."

1 SEC. 9a. That paragraph two (2), section one (1), of Chapter  
2 134 of the Acts of the Forty-seventh General Assembly be amended  
3 by striking from lines one (1) and two (2) thereof the words "and  
4 every vehicle which is" and inserting in lieu thereof the words "but  
5 not including vehicles known as trackless trolleys which are".

## DIVISION II

1 SEC. 9b. Sections fifty-one hundred five-a forty-one (5105-a41) to  
2 fifty-one hundred five-a fifty-seven (5105-a57), inclusive, Code, 1935,  
3 are hereby repealed and sections ten (10) to twenty-one (21), in-  
4 clusive, of this division enacted in lieu thereof.

1 SEC. 10. In addition to the regular license fees or taxes imposed  
2 upon motor vehicles, there shall be assessed against and collected from  
3 every motor carrier the following tax as compensation for the use  
4 of the highways to carry on business and for the repair and mainte-  
5 nance of the highways:

6 For each motor vehicle or combination of tractor and semitrailer  
7 or trailer with a gross weight in excess of sixteen (16) tons, \$250.00.

8 For each motor vehicle or combination of tractor and semitrailer  
9 or trailer with a gross weight in excess of twelve (12) tons and not to  
10 exceed sixteen (16) tons \$200.00.

11 For each motor vehicle or combination of tractor and semitrailer  
12 or trailer with a gross weight in excess of eight (8) tons and not to  
13 exceed twelve (12) tons, \$150.00.

14 For each motor vehicle or combination of tractor and semitrailer  
15 or trailer with a gross weight of eight (8) tons or less, \$75.00.

16 "Gross weight" shall mean the registered weight of a vehicle or  
17 combination of trailer and semitrailer or trailer except in the case of  
18 motor vehicles registered outside of this state. The gross weight shall  
19 mean the empty weight of the vehicle plus the actual weight of the  
20 load carried thereon."

1 SEC. 11. **Payment of tax.** The annual compensation tax shall be  
2 paid on or before the first day of January in each year; provided, how-  
3 ever, the same may be paid in equal quarterly installments which shall  
4 be due on the first day of January, April, July and October of each  
5 year.

1 SEC. 12. **Penalties.** If payment of compensation tax is not made  
2 within thirty (30) days after the date upon which it is due, it shall  
3 become delinquent and there shall be added as a penalty a sum equal  
4 to one-tenth of the amount of the original tax for each month or frac-  
5 tion thereof that the tax remains delinquent.

1 SEC. 13. **Rebate.** If during any year a motor vehicle ceases to be  
2 used for compensation the operator thereof, upon satisfactory proof  
3 to the commission of cessation of such use, shall be exempted from the  
4 payment of the quarterly installments of the annual tax thereafter  
5 and shall be entitled to a refund of any subsequent quarterly install-  
6 ments previously paid. The tax to be assessed on any motor vehicle  
7 placed in service for compensation after February first shall be com-  
8 puted on the basis of one-twelfth of the annual tax multiplied by the  
9 number of unexpired months in the current quarter, and in succeeding  
10 quarters shall be computed on the basis of the regular quarterly pay-  
11 ment as provided in section eleven (11) of this act.

1 SEC. 14. **Plates.** The commission shall issue distinguishing identi-  
2 fication plates for each motor vehicle upon the payment of the taxes  
3 herejn assessed, which plates shall be affixed to each such vehicle in a  
4 conspicuous place.

1 SEC. 15. **Lien.** Taxes and penalties imposed by this division shall  
2 be a first lien upon all property of the carrier.

1 SEC. 16. **Sale of property.** If payment is not made on or before  
2 sixty (60) days after the date when the tax became delinquent, the  
3 property of the motor vehicle carrier, or so much thereof as may be  
4 necessary, may be sold to satisfy the said taxes and penalties, interest  
5 and costs of sale.

1 SEC. 17. **Duty to collect—procedure.** All taxes and penalties im-  
2 posed by this division shall be paid to the commission, and it shall be

3 the duty of the commission to enforce the collection of all taxes and  
 4 penalties, and notice of sale, and procedure thereunder shall, so far  
 5 as may be, accord with the provisions of the law for the collection of  
 6 taxes upon general property.

1 **SEC. 18. Travel orders.** Nonresident owners and resident owners  
 2 of motor vehicles registered outside of this state, subject to tax under  
 3 section ten (10) of this act, and operated within this state only occa-  
 4 sionally or on specified trips into or across the state for the interstate  
 5 transportation of persons or property for compensation shall be  
 6 exempt from the annual compensation tax imposed by this division  
 7 upon obtaining from the commission an order for each such trip any  
 8 such vehicle is so operated into or across the state. The commission  
 9 shall issue such orders upon application therefor, giving a description  
 10 of such vehicle, and upon the payment to the commission of the sum  
 11 of five dollars (\$5.00) for each order for motor vehicles with a gross  
 12 weight in excess of 34,000 pounds and three dollars (\$3.00) for each  
 13 order for motor vehicles with a gross weight of 34,000 pounds or less.  
 14 Such order shall be conspicuously displayed on such vehicle at all times  
 15 while such vehicle is being operated upon the highways of this state  
 16 in the manner prescribed by the commission.

1 **SEC. 19. Accounting by commission.** The commission shall remit  
 2 to the Treasurer of State all moneys collected under this division.

1 **SEC. 20. Distribution of proceeds.** All of the moneys received  
 2 under the provisions of this division shall be distributed as follows:  
 3 (1) One-half shall be allocated by the commission to the various  
 4 counties in the proportion that the area of the respective county bears  
 5 to the total area of the state, to be used by the county board of super-  
 6 visors for the maintenance of secondary roads.

7 (2) One-half shall be placed in the primary road fund of the state.

1 **SEC. 21. Payment to counties.** The commission shall certify the  
 2 amount due to each county to the state comptroller, who shall draw  
 3 warrants upon the treasurer of state to be transmitted to the respec-  
 4 tive county treasurers.

1 **SEC. 22.** The provisions of this act shall become effective on De-  
 2 cember 31, 1939.

Approved May 25, 1939.

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## CHAPTER 136

### MOTOR TRUCKS

S. F. 48

AN ACT to amend section fifty-one hundred five-c nine (5105-c9), code, 1935, relating to motor trucks operated upon the highways of Iowa in interstate commerce and providing an exemption therefor.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 **SECTION 1.** Section fifty-one hundred five-c nine (5105-c9), Code,  
 2 1935, is amended by adding thereto the following: "The Iowa State